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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA,) No. CR 06-0538 SI
18 Plaintiff,)
19 v.)
20 DWIGHT GILCHRIST,) STIPULATION AND [PROPOSED]
21 Defendant.) ORDER DOCUMENTING
22 EXCLUSION OF TIME

23 With the agreement of the parties in open court on September 22, 2006 and with
24 the consent of the defendant Dwight Gilchrist (“defendant”), the Court enters this order 1)
25 ordering the next hearing in front of this Court to be on November 3, 2006 at 11:00 a.m.,
26 and 2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161,
27 from September 22, 2006 to November 3, 2006. The parties agree, and the Court finds
28 and holds, as follows:

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30 [PROPOSED] ORDER DOCUMENTING
31 EXCLUSION OF TIME [CR 06 0538 SI]]

1. The Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, granting the continuance until November 3, 2006 is necessary for effective preparation of counsel and for continuity of counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). Defense counsel has just obtained discovery and needs adequate time to review the discovery as it relates to the underlying fraud charges. Given these circumstances, the Court finds that the ends of justice served by excluding the period from September 22, 2006 to November 3, 2006, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

2. Accordingly, and with the consent of the defendant, the Court orders that 1) the next appearance in front of this Court will be November 3, 2006 at 11:00 a.m., and 2) the period from September 22, 2006 to November 3, 2006 be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

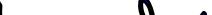
IT IS SO STIPULATED.

DATED:

DATED:

IT IS SO ORDERED.

DATED:


The Honorable Susan Illston
United States District Judge